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ept.20, 1979

ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD RESOLUTION NO. 7-79
AMENDING THE 1979 BAY AREA AIR QUALITY PLAN

- WHEREAS, the Association was designated in April 1978 by the Air Resources Board (hereinafter ARB) as the air quality planning organization responsible, under Section 174 of the Clean Air Act, for the preparation of the non-attainment plan required by Section 172 of the Clean Air Act (hereinafter 1979 Bay Area Air Quality Plan); and
- WHEREAS, a memorandum of understanding was executed by the Association, the Bay Area Air Quality Management District (hereinafter District), and the Metropolitan Transportation Commission in June 1978 delineating the respective responsibilities for preparation of portions of the 1979 Bay Area Air Quality Plan (hereinafter memorandum); and
- WHEREAS, pursuant to the memorandum the 1979 Bay Area Air Quality Plan was developed, subjected to public review, and adopted by the General Assembly by Resolution 1-79; and
- WHEREAS, the 1979 Bay Area Air Quality Plan was modified, pursuant to the provisions of Resolution 1-79, through Executive Board adoption of Resolution 2-79 on May 17, 1979; and
- WHEREAS, Resolution 2-79 recognized the commitment of the District by its Resolution No. 1127 to: 1) review and consider, within the time requested by the Environmental Protection Agency (hereinafter EPA), the control technique guidelines promulgated by EPA for organic emissions, and 2) require the implementation of all reasonably available control measures as expeditiously as practicable; and
- WHEREAS, the District, by its Resolutions No. 1105, 1106, 1109, 1110, 1111 1123, 1126, 1128, and 1145, adopted regulations, after public hearings, to carry out reasonably available control technology and new source review as required by the Clean Air Act; and
- WHEREAS, such Federally required regulations were adopted by the District on or before July 20, 1979, and submitted by the District to the ARB; and
- WHEREAS, pursuant to the provisions of Article 5.5 of the Government Code, the ARB is required to submit the 1979 Bay Area Air Quality Plan to EPA without change unless it finds that the plan does not satisfy an applicable Federal environmental protection standard; and
- WHEREAS, the ARB Executive Officer on July 26, 1979 submitted the 1979 Bay Area Air Quality Plan and the Report on Plan Modifications to EPA with the comment that the ARB is "satisfied" that the 1979 Bay Area Air Quality Plan, as modified, "now adequately complies with Clean Air Act requirements for a 1979 plan"; and
- WHEREAS, the ARB's control strategy summary description for the Bay Area, which is Chapter 15 of the State Implementation Plan submittal, incorrectly advises EPA on page 13 that the District was then (July 1979) in the process of adopting rules for the control technique guideline categories; and

- WHEREAS, the ARB submittal requests conditional approval of the 1979 Bay Area Air Quality Plan on the basis of such incorrect advice; and
- WHEREAS, it is the Association's understanding that the ARB has not submitted the District's adopted regulations to meet the Clean Air Act requirements; and
- WHEREAS, the ARB on several occasions has indicated its intent to adopt rules for stationary sources that meet or exceed EPA requirements; and
- WHEREAS, the ARB proposes to amend District regulations on September 26-27 to achieve greater emission reductions to achieve the state air quality standards; and
- WHEREAS, the Association believes that the District's adopted regulations meet Federal requirements; and
- WHEREAS, on matters of policy the Executive Board is authorized to act between meetings of the General Assembly;

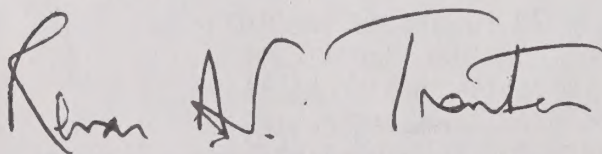
NOW THEREFORE BE IT

- RESOLVED, that the 1979 Bay Area Air Quality Plan be amended to delete draft regulations on pages 242 through 256 and to replace the deleted draft regulations with the District's adopted regulations 13, 14, 16, 17, 18, 19, 20, 21, and 23 (marked Exhibit A and incorporated herein by reference); and be it further
- RESOLVED, that the ARB is requested pursuant to law to forward these Federally required regulations to EPA without change or amendment; and be it further
- RESOLVED, that the Association reaffirms the Bay Area's commitment to thorough, objective analysis of incremental emission reduction potential from ARB's reasonably available control measures in the context of the continuing air quality planning process.

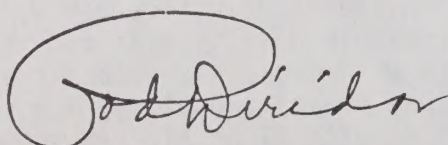
The foregoing resolution was approved by the Executive Board this 20th day of September, 1979.

Attest:

Signed:



Revan A. F. Tranter
Secretary-Treasurer



Rod Diridon
President

ASSOCIATION OF BAY AREA GOVERNMENTS
EXHIBIT A TO THE
EXECUTIVE BOARD RESOLUTION NO. 7-79

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The enclosed pages replace pages 242 through 256 of the 1979 Bay Area Air Quality Plan, published by the Association in January 1979, and modified by the Report on Plan Modifications in May 1979. The 1979 Bay Area Air Quality Plan, as modified replaced Chapter VI of the San Francisco Bay Area Environmental Management Plan, adopted by the Association's General Assembly in June 1978.

ADOPTED
1/24/79

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

REGULATION 13

REGULATION FOR CONTROL OF ORGANIC COMPOUND
EMISSIONS FROM TERMINALS AND BULK PLANTS

100 GENERAL

- 101 Description: The purpose of this regulation is to limit the emission of organic compounds from operations at terminals and bulk plants.

110 EXEMPTIONS

- 111 Low Vapor Pressure Materials: The requirements in this regulation do not apply to loading or delivery of any organic liquid having a true vapor pressure less than 0.10 bar (1.5 psia).

- 112 Delivery to Exempt Facilities: The requirements in Section 302 do not apply to bulk plants which do not load more than the following amounts for delivery to accounts which are not exempt distribution facilities:

Effective January 1, 1981 - 4,500 cubic meters per year
(1,200,000 gallons)

Effective January 1, 1983 - 2,300 cubic meters per year
(600,000 gallons)

- 113 Delivery Vehicles: The requirements in Section 305 do not apply to delivery vehicles which deliver exclusively to exempt distribution facilities.

- 114 Unusual Construction Problem: The requirements in this regulation do not apply to loading of any organic liquid at terminals or bulk plants where the APCO determines severe and unusual construction problems would prevent the installation of required vapor recovery equipment.

- 115 Maintenance and Repair: The requirements of Section 307 shall not apply to spills resulting from maintenance or repair operations provided proper operating practices are employed to minimize evaporation of organic compounds into the atmosphere.

200 DEFINITIONS

- 201 Bulk Plant: An intermediate distributing plant which receives organic liquid; stores it in stationary tanks; loads it into tank trucks for delivery to other bulk plants, service stations or other distribution points; and which has an annual through-

- put of not more than 23,000 cubic meters (6,000,000 gallons).
- 202 Exempt Distribution Facility: Any distribution facility where the storage tanks to which organic liquid is delivered meet one or more of the following conditions:
- 202.1 Storage tanks with a capacity of less than 1.0 cubic meter (260 gallons).
 - 202.2 Storage tanks installed before October 1, 1974, with a capacity of not more than 7.6 cubic meters (2,000 gallons) and a throughput of not more than 23 cubic meters (6,000 gallons) per month.
 - 202.3 Storage tanks where the APCO has determined that severe and unusual construction problems would prevent the installation of vapor recovery equipment required by District regulations.
 - 202.4 Storage tanks used primarily for the fueling of implements of husbandry as defined in Division 16, Chapter 1 of the California Vehicle Code, provided such tanks are equipped with a submerged fill pipe.
- 203 Organic Compound: Any compound containing carbon and hydrogen, or carbon and hydron in combination with any other element.
- 204 Organic Liquids: All organic compounds which would exist as liquids at actual conditions of use or storage.
- 205 Submerged Fill Pipe: Any discharge pipe or nozzle which meets either of the following conditions:
- 205.1 Where the tank is filled from the top, the end of the discharge pipe or nozzle must be submerged when the liquid level is 15 centimeters (6 inches) from the bottom of the tank.
 - 205.2 Where the tank is filled from the side, the discharge pipe or nozzle must be totally submerged when the liquid level is 46 centimeters (18 inches) from the bottom of the tank.
- 206 Terminal: A primary distributing plant which receives organic liquid; stores it in stationary tanks; loads it into transportable containers, excluding marine vessels, for delivery to bulk plants, service stations or other distribution points; and which has an annual throughput of more than 23,000 cubic meters (6,000,000).

- 207 True Vapor Pressure: The pressure exerted when an organic liquid is in equilibrium with its own vapor. True vapor pressure may be found by referring to the applicable nomograph in American Petroleum Institute Bulletin No. 2517.
- 300 STANDARDS
- 301 Terminal Limitations: A person shall not emit into the atmosphere more than 78 grams of organic compounds per cubic meter of organic liquid loaded (0.65 pounds per 1,000 gallons) from loading operations at a terminal.
- 302 Bulk Plant Vapor Recovery: Effective January 1, 1981, a person shall not load any organic liquid from any loading rack at a bulk plant having an annual throughput of more than 4,500 cubic meters (1,200,000 gallons) unless a certified vapor balance system or equivalent certified system, is properly connected during loading.
- 303 Bulk Plant Submerged Fill: A person shall not load any organic liquid from any loading rack at a bulk plant having an annual throughput of more than 570 cubic meters (150,000 gallons) unless such loading is conducted through a submerged fill pipe or its equivalent.
- 304 Deliveries to Storage Tanks: A person shall not allow the delivery of any organic liquid to any terminal or bulk plant storage tank having a capacity between 7.6 and 150 cubic meters, inclusive, (2,000 and 40,000 gallons) unless a vapor recovery system of at least 95% efficiency, or an equivalent vapor loss control system, has been properly installed on the storage tank and is properly connected during delivery.
- 305 Delivery Vehicle Requirements: Any delivery vehicle loaded at a terminal or bulk plant which is subject to the requirements of Sections 301 or 302 shall be equipped to allow proper connection to the vapor recovery system required by that Section and shall be maintained to be vapor tight and in good working order.
- 306 Equipment Maintenance: All equipment associated with delivery and loading operations shall be maintained to be vapor tight and in good working order.
- 307 Operating Practices: Any organic liquid having a true vapor pressure greater than 0.10 bar (1.5 psia) shall not be spilled, discarded in sewers, stored in open containers, or handled in any other manner that would result in evaporation to the atmosphere.
- 400 ADMINISTRATIVE REQUIREMENTS

- 401 Any person who needs to install a vapor balance system to comply with the following increments of progress:
- 401.1 July 1, 1979. Subit to the APCO a final control plan which describes, as a minimum, the steps, including a construction schedule, that will be taken to achieve compliance with such requirements.
 - 401.2 April 1, 1980. Submit a completed application for any Authority to Construct necessary to achieve compliance with such requirements.
 - 401.3 January 1, 1981. Be in compliance with all the requirements of Section 302.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

Adopted 1/24/79

REGULATION 14
-FOR CONTROL OF VOLATILE ORGANIC COMPOUND
EMISSIONS FROM
METAL CONTAINER AND CLOSURE COATING
AND COIL COATING

100 GENERAL

101 Description: The purpose of this regulation is to reduce emissions of volatile organic compounds from the coating of metal coils, cans, drums, pails, lids and crowns.

200 DEFINITIONS

201 "Coating line" means an operation or process for applying, drying, baking and/or curing surface coatings, together with associated equipment including a coating applicator, flash-off area and oven.

202 "Coil coating" means any coating applied to metal sheets or strips which are then rolled into coils for further industrial or commercial use.

203 Daily Weighted Average means the amount of Volatile Organic Compounds emitted on a given day, considering actual production, VOC content of coatings used, and the degree of control achieved by any abatement equipment on the coating line or lines included in the submitted plan.

204 "End sealing compound" means a compound which is coated onto can ends and which functions as a gasket when the end is assembled onto the can.

205 "Exterior base coating" means a coating applied to the exterior of a can to provide protection to the metal or to provide background for any lithographic or printing operation.

206 "Interior base coating" means a coating applied to the interior of a can to provide a protective lining between the product and the can.

207 "Interior body spray" means a coating sprayed on the interior of the can body to provide a protective film between the product and the can.

208 "Metal container or closure coating" means any coating applied to either: the interior or exterior of formed metal cans, drums, pails, lids or crowns; or flat metal sheets which are intended to be formed into cans, drums, pails, lids or crowns.

209 "Overvarnish" means a coating applied directly over a design coating to reduce the coefficient of friction, to provide gloss and to protect the finish against abrasion and corrosion.

- 210 "Three-piece can side-seam spray" means a coating sprayed on the exterior and/or interior of a welded, cemented or soldered seam to protect the exposed metal.
- 211 "Two-piece can exterior end coating: means a coating applied to the exterior end of a can to provide protection to the metal.
- 212 "Volatile organic compound " (VOC) means any compound of carbon (excluding carbon monoxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate and methane) which would be emitted from a coating during application, curing and drying, as determined by a test method approved by the APCO.

300 STANDARDS

- 301 Metal Container or Closure Coating Limitation: (Effective January 1, 1982) Except as provided in Sections 302 and 305 a person shall not apply any metal container or closure coating with a VOC content in excess of the following limits:

<u>Coating Category</u>	<u>Grams of VOC/liter (lb/gal) of coating applied, excluding water</u>	
Sheet basecoat (interior and exterior) and overvarnish	300	(2.5)
After January 1, 1985	225	(1.9)
Two-piece can exterior basecoat and overvarnish	250	(2.1)
Interior or exterior body spray; two-piece can exterior end coating	510	(4.3)
Three-piece can side seam spray	660	(5.5)
End sealing compound	500	(4.2)
Two-piece cans, after January 1, 1983	440	(3.7)
Three-piece cans, after January 1, 1985	440	(3.7)

- 302 Equivalent Control for Metal Container or Closure Coatings: The use of coatings with VOC contents in excess of the limits specified in Section 301 shall be allowed, provided the emission of VOC to the atmosphere from the use of such coatings is reduced to a level which is equivalent to the use of coatings

which comply with those limits.

- 303 Coil Coating Limitation: (Effective January 1, 1982) Except as provided in Sections 304 and 305, a person shall not apply any coil coating with a VOC content in excess of 200 grams per liter of coating applied (1.7 lb/gal), excluding water.
- 304 Equivalent Control for Coil Coating: The requirements of Section 303 shall not apply to a coil coating line from which emissions of VOC to the atmosphere do not exceed 120 grams per liter of coating applied (1.0 lb/gal), excluding water.
- 305 The requirements of Section 301 or 303 shall not apply to any coating line or coating lines which comply with an alternative emission control plan which satisfies all the following requirements:
- 305.1 Emissions of volatile organic compounds, on a daily weighted average, shall be no greater than that amount which would result if the affected coating line or lines complied with all applicable requirements of Section 301 or 303.
 - 305.2 The plan shall receive prior written approval from the Air Pollution Control Officer.
 - 305.3 The plan shall be submitted to the Air Pollution Control Officer for review and approval on an annual basis.
 - 305.4 The plan shall include methods acceptable to the Air Pollution Control Officer for demonstrating compliance with the plan on a daily basis.
 - 305.5 The person submitting the plan shall maintain such records and submit such information on coating usage, coating composition, laboratory analysis, source tests, or other information as required by the Air Pollution Control Officer to determine compliance with the plan.
 - 305.6 The plan shall not include credit for emissions reductions required by other sections of this regulation or other regulations of this District.
- 306 The emission limitations in Regulation 3 shall not apply to any coating line which complies with all applicable requirements of this regulation.
- 400 ADMINISTRATIVE REQUIREMENTS
- 401 Compliance Schedule: Any person who is subject to the limitations of this regulation shall comply with the following increments of progress:

- 401.1 18 months before the effective date - Submit a plan to the APCO which describes the methods to be employed to come into compliance with those limitations.
- 401.2 6 months before the effective date - Submit completed application for any Authority to Construct necessary to come into compliance with those limitations.
- 401.3 On or before the effective date - Be in full compliance with those limitations.

JP:gp

ADOPTED 1/17/79

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

REGULATION 16

FOR CONTROL OF VOLATILE ORGANIC COMPOUND EMISSIONS
FROM PAPER, FABRIC AND FILM COATING OPERATIONS

100 GENERAL

101 Description: The purpose of this regulation is to limit emissions of volatile organic compounds from the coating of paper, fabric or films.

110 EXEMPTIONS

111 Small Users: The requirements of Section 301 shall not apply to any coating line which emits less than 6.5 kilograms (14.3 pounds) per day.

112 Air-Dried Coatings: The requirements of Section 301 shall not apply to any coating line which does not apply heat for the purpose of drying and/or curing the coating.

113 Low-Solvent Coatings: The provisions of Section 301 shall not apply to the use of any coating with a VOC content of less than 265 grams per liter of coating applied, excluding water (2.2 pounds per gallon).

114 Printing and Decorating: The requirements of Regulation 16 shall not apply to any coating line where printing or decorative design is applied on the same line.

115 Flexible Packaging: The requirements of Regulation 16 shall not apply to operations manufacturing converted flexible packaging materials for packaging of food or health care products for human or animal consumption.

116 Clean Up: The limitations of Section 301 shall not apply to emissions of VOC resulting from cleaning of coating line equipment.

200 DEFINITIONS

201 Coating Line: All operations involved in the application and curing and/or drying of paper, fabric or film coatings, where the coating is applied uniformly across the substrate.

- 202 Converted Flexible Packaging Materials: Any paper, plastic or foil substrate, or any combination of those materials, which is coated, waxed, laminated, printed or otherwise treated for fabrication into bags, pouches or other preformed flexible packages.
- 203 Fabric Coating: Any decorative or protective coating or reinforcing material applied on or impregnated into textile fabric or vinyl coated textile fabric or vinyl sheets.
- 204 Film Coating: Any coating applied in a web coating process on any film substrate other than paper or fabric, including, but not limited to typewriter ribbons, photographic film, magnetic tape and metal foil gift wrap.
- 205 Paper Coating: Any coating applied on or impregnated into paper, including, but not limited to adhesive tapes and labels, book covers, post cards, office copier paper, drafting paper and pressure sensitive tape.
- 206 Volatile Organic Compound (VOC): Any compound of carbon (excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and methane) which would be emitted during use, application, curing or drying of a solvent or surface coating, as determined by test methods approved by the APCO.
- 300 STANDARDS
- 301 Limitations, Coating Lines: Effective January 17, 1981, a person shall not discharge into the atmosphere more than 120 grams of VOC per liter of coating applied, excluding water (1.0 pound per gallon), from any paper, fabric or film coating line.
- 302 Storage and Mixing Operations: A person shall not allow any liquid leaks from containers storing organic solvents or from tanks for mixing coatings to be used on any paper, fabric or film coating line. All such containers and tanks shall be covered at all times except when material is being added or removed, or when the tank or container is being cleaned or when the container is empty.

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REGULATION 17
FOR CONTROL OF VOLATILE ORGANIC COMPOUND EMISSIONS
FROM LIGHT-AND MEDIUM-DUTY MOTOR
VEHICLE ASSEMBLY PLANTS

100 GENERAL

201 Description: The purpose of this regulation is to limit emissions of volatile organic compounds from operations at light-and medium-duty motor vehicle assembly plants.

110 Exemption, Miscellaneous Coatings: The requirements of Sections 301 and 302 shall not apply to final repair coating operations or to the use of wheel enamels, anti-rust coatings, trunk coatings, interior coatings, flexible coatings, sealers, or other coating operations not associated with applying body primer and topcoat coatings to exterior sheet metal and body.

200 DEFINITIONS:

201 Coating Line: That portion of a motor vehicle or motor vehicle component assembly plant where surface coatings are applied, dried and/or cured on such vehicles or vehicle components.

202 Electrophoretic Primer: Any primer applied by dipping the component in a coating bath with an electrical potential difference between the component and the bath.

203 Light-and Medium-Duty Motor Vehicles: All passenger cars, light-duty trucks and medium-duty vehicles as defined in Section 1900, Title 13, California Administrative Code.

204 Primer: All coatings under the topcoat.

205 Primer Surfacer: Any primer coating applied over an electrophoretic primer.

206 Spray Primer: Any primer, except primer surfacer, that is spray applied.

207 Topcoat: The final coating or series of coatings applied for the purpose of establishing the final color and/or protective surface, including ground coat and paint sealer materials.

208 Volatile Organic Compound (VOC): Any compound of carbon (excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and methane) which would be emitted during use, application, curing or drying of a solvent or surface coating, as determined by test methods approved by the APCO.

301 Interim Limitations: Any person who applies primer or topcoat to light-or medium-duty vehicles on a coating line shall comply with either Section 301.1 or Section 301.2 below:

301.1 Primer or topcoat shall not be applied with a VOC content in excess of the following limits, expressed as grams of VOC per liter of coating applied, excluding water:

A. Electrophoretic Primer

- | | | |
|-----|-----------------------|--------------------------------------|
| i. | After January 1, 1981 | 250 gram/liter
(2.1 pound/gallon) |
| ii. | After January 1, 1983 | 145 gram/liter
(1.2 pound/gallon) |

B. Spray Primer and Primer Surfacer

- | | | |
|-----|-----------------------|--------------------------------------|
| i. | After January 1, 1981 | 540 gram/liter
(4.5 pound/gallon) |
| ii. | After January 1, 1983 | 350 gram/liter
(2.9 pound/gallon) |

C. Topcoat After January 1, 1981 590 gram/liter
(4.9 pound/gallon)

301.2 After September 1, 1983, primer or topcoat shall not be applied with a VOC content in excess of the following limits, expressed as grams of VOC per liter of coating applied, excluding water:

- | | | |
|----|------------------------|--------------------------------------|
| A. | Electrophoretic primer | 145 gram/liter
(1.2 pound/gallon) |
| B. | Spray primer | 400 gram/liter
(3.3 pound/gallon) |
| C. | Primer surfacer | 340 gram/liter
(2.8 pound/gallon) |
| D. | Topcoat | 380 gram/liter
(3.2 pound/gallon) |

302 Primer and Topcoat Limitation: After January 1, 1985, a person shall not apply on any light-or medium-duty vehicle coating line any primer or topcoat with a VOC content in excess of the following limits:

- (a) Primer: Not more than 275 grams per liter of coating, excluding water (2.3 pounds/gallon)

- (b) Topcoat: Not more than 275 grams per liter of coating, excluding water (2.3 pounds/gallon).
- 303 Final Repair Coat Limitation: After January 1, 1985, a person shall not apply on any light-or medium-duty vehicle coating line any final repair coat with a VOC content in excess of 590 grams per liter of coating applied, excluding water (4.9 pounds/gallon).
- 304 Equivalent Compliance Methods: The requirements of Sections 301, 302 or 303 shall not apply to any coating line or coating lines which comply with an alternative control plan which satisfies all the following requirements:
- 304.1 Total emissions of VOC shall be no greater than that amount which would result if the affected coating line or lines complied with all applicable requirements of Sections 301, 302 and 303.
- 304.2 The plan shall require the prior approval of the APCO.
- 304.3 The plan shall be reviewed annually, and periodic status reports shall be submitted with such frequency and containing such information as deemed necessary by the APCO.
- 304.4 The plan shall include methods acceptable to the APCO for determining and demonstrating compliance on a continuing bases.
- 304.5 The plan shall not include credit for emissions reductions required by other regulations or other sections of this regulation.
- 304.6 If any regulation is changed or adopted after the approval of the plan, which requires emission reductions which are included in the plan, a new plan shall be submitted which does not include credit for those reductions.
- 304.7 Calculations for determining equivalency shall include consideration of transfer efficiencies which are achieved in practice with coatings that meet the specified limits compared to transfer efficiencies which are achievable with the coatings proposed for use in the plan.
- 400 ADMINISTRATIVE REQUIREMENTS
- 401 Compliance Schedule, Section 301.1: Any person who is subject to the requirements of Section 301.1 shall comply with the following increments of progress:
- 401.1 By July 1, 1980: Submit to the APCO a plan describing the methods to be used to comply with those requirements.

- 401.2 By November 1, 1980: Submit a completed application for any Authority to Construct necessary to comply with Sections 301.1(A)(i) and 301.1(B)(i).
- 401.3 By January 1, 1981: Be in full compliance with all requirements of Sections 301.1(A)(i) and 301.1(B)(i).
- 401.4 By November 1, 1982: Submit a completed application for any Authority to Construct necessary to comply with Sections 301.1(A)(ii) and 301.1(B)(ii).
- 401.5 By January 1, 1983: Be in full compliance with all requirements of Sections 301.1(A)(ii) and 301.1(B)(ii).
- 402 Compliance Schedule, Section 301.2: Any person who is subject to the requirements of Section 301.2 shall comply with the following increments of progress:
 - 402.1 By January 1, 1981: Submit to the APCO a plan describing the methods to be used to comply with Section 301.2.
 - 402.2 By July 1, 1983: Submit a completed application for any Authority to Construct necessary to comply with Section 301.2.
 - 402.3 By September 1, 1983: Be in full compliance with the requirements of Section 301.2.
- 403 Compliance Schedule, Sections 302 and 303: Any person who is subject to the requirements of Section 302 or 303 shall comply with the following increments of progress:
 - 403.1 By January 1, 1984: Submit to the APCO a plan describing the methods to be used to comply with Sections 302 and 303.
 - 403.2 By November 1, 1984: Submit a completed application for any Authority to Construct necessary to comply with Sections 302 and 303.
 - 403.3 By January 1, 1985: Be in full compliance with the requirements of Sections 302 and 303.

ADOPTED
1/17/79

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

REGULATION 18

FOR THE CONTROL OF
ORGANIC COMPOUND EMISSIONS FROM A
PETROLEUM REFINERY COMPLEX

100 GENERAL

101 Description: The purpose of this regulation is to limit the emission of organic compounds from specific operations at petroleum refineries.

110 EXEMPTIONS

111 Storage Vessels: The requirements in section 303 do not apply to stationary containers used solely for the storage of an organic liquid.

112 Vacuum Tank Trucks: The requirements in section 301 do not apply to vacuum tank trucks; the emission of organic compounds from these source operations will continue to be controlled under the requirements of District Regulation 3.

200 DEFINITIONS

201 Organic Compound: Any compound containing carbon and hydrogen, or carbon and hydrogen in combination with any other element; for purposes of this regulation, methane and ethane shall not be included.

202 Petroleum Refinery Complex: Any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants or other products through distillation of petroleum or through redistillation, cracking, rearrangement or reforming of unfinished petroleum derivatives.

203 Standard Conditions: Standard conditions are 160° Celsius (60° Fahrenheit) and 760 mm of Hg (14.7 psia).

204 Vacuum Producing Systems: Vacuum producing systems include, but are not limited to, steam ejectors with contact (barometric) condensers, steam ejectors with surface condensers, and mechanical vacuum pumps.

- 205 Wastewater (Oil/Water) Separator: Any device which has as its principal purpose the significant separation of liquid organic compounds from an oil-water waste; for purposes of this regulation, Air Flotation (AF) units shall not be included.
- 206 Wastewater Separator Forebay: The separator forebay is that section of a gravity-type separator which (a) receives the untreated, contaminated wastewater from the preseparator flume, and (b) acts as a header which distributes the influent to the separator channels.
- 300 STANDARDS
- 301 Vacuum Producing Systems: Effective March 1, 1980, the control of organic emissions from Vacuum Producing Systems (VPS) at Petroleum Refinery Complexes shall be accomplished by employing the following equipment and/or strategies:
- (a) Non-condensable organic emissions from Vacuum Producing Systems' condensers must either be controlled and piped to an appropriate firebox or incinerator for combustion, or be collected, compressed, and added to the refinery fuel gas, or be contained and treated so as to prevent their emission into the atmosphere.
 - (b) Hot wells and/or accumulators associated with contact (barometric) condensers must be covered and the organic vapors must either be incinerated or contained and treated so as to prevent their emission into the atmosphere.
- 302 Wastewater (Oil/Water) Separators: Effective March 1, 1980, the control of organic emissions from wastewater separator basins shall be accomplished by employing one of the following:
- (a) A solid cover totally enclosing the basin (compartment) liquid contents, with all basin cover openings closed, except when the opening is being used.
 - (b) A floating pontoon or double-deck type cover, designed and operated with closure seals installed and maintained so that gaps between the compartment wall and the seal shall not exceed 0.32 centimeters (1/8 inch) for an accumulative length of 97 percent of the perimeter of the tank, and shall not exceed 1.3 centimeters (1/2 inch) for an accumulative length of 3 percent of the perimeter of the tank. No gap between the compartment wall and the seal shall exceed 1.3 centimeters (1/2 inch).
 - (c) A vapor recovery system which reduces the emission of all hydrocarbon vapors and gases into the atmosphere by at least 90 percent, by weight.
 - (d) Other equipment of an efficiency equal to or greater than (a), (b), or (c), if approved by the Air Pollution Control Officer (APCO).

Any gauging and sampling device in the compartment cover shall be equipped with a cover, seal, or lid. The cover shall at all times be in a closed position, with no visible gaps between the cover and compartment, except when the device is in use.

The wastewater separator forebay shall be covered.

- 303 Process Vessel Depressurizing: Effective March 1, 1980, the control of organic emissions from depressurizing any process vessel during a process unit turnaround shall be accomplished by employing the following strategy/operating procedure:

The organic vapors, after passing through a knockout pot to remove the condensable hydrocarbons, must either be (a) recovered (added to the refinery fuel gas system) and combusted, (b) controlled and piped to an appropriate firebox or incinerator for combustion, or (c) flared, until the pressure within the process vessel is as close to atmospheric pressure as is practicably possible. All process vessels will be depressurized to less than 1,000 mm of Hg (4.6 psig) before venting/opening to the atmosphere.

- 304 Turnaround Records: Effective March 1, 1979, refinery personnel shall keep records of each process unit turnaround, listing as a minimum:

- (a) the date of unit shutdown/depressurizing,
- (b) the approximate process vessel hydrocarbon concentration when the organic emissions were first discharged into the atmosphere, and
- (c) the approximate quantity of total organic compounds emitted into the atmosphere.

These records shall be kept for at least two (2) years and be made available to the Air Pollution Control Officer (APCO), or his designate, during any compliance inspection of the refinery.

400 ADMINISTRATIVE REQUIREMENTS:

- 401 Any person who needs to modify an existing source operation or install new control equipment to comply with the requirements of this regulation shall comply with the following increments of progress:
- 401.1 May 1, 1979. Submit to the APCO a final control plan which describes, as a minimum, the steps, including a construction schedule, that will be taken to achieve compliance with such requirements.
 - 401.2 July 1, 1979. Submit a completed application for any Authority to Construct necessary to achieve compliance with such requirements.
 - 401.3 March 1, 1980. Be in compliance with all the requirements of this regulation.

ADOPTED 3/7/79

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

PROPOSED REGULATION 19
CONTROL OF VOLATILE ORGANIC COMPOUND EMISSIONS
FROM SURFACE COATING OF LARGE APPLIANCES
AND METAL FURNITURE

100 GENERAL

101 Description: The purpose of this regulation is to limit the emission of volatile organic compounds from the coating of large appliances and metal furniture.

110 EXEMPTIONS

111 Small Users: The requirements of this regulation shall not apply to any coating line which emits less than 10 kilograms (22 pounds) per day.

112 Touch-up and Repair: The provisions of Section 303 shall not apply to touch-up repair operations.

200 DEFINITIONS

201 Air-dried Coating: Any coating which is not heated above 90°C (194°F) for the purposes of curing or drying.

202 Baked Coating: Any coating which is cured or dried in an oven where the oven air temperature exceeds 90°C (194°F).

203 Coating Line: All operations involved in the application, drying and/or curing of surface coatings.

204 Large Appliances: Doors, cases, lids, panels and interior support parts of residential or commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dish washers, trash compactors air conditioners and other similar products.

205 Metal Furniture: Includes tables, chairs, waste baskets, beds, dishes, lockers, benches, shelving, file cabinets, lamps and lighting fixtures, room dividers, drapery hardware, window blinds and shades or other similar products or parts used to fabricate such products.

206 Repair: Recoating portions of previously coated product due to mechanical damage to the coating following normal painting operations.

207 Touch Up: That portion of the coating operation which is incidental to the main coating process but necessary to cover minor imperfections or to achieve coverage as required.

- 208 Transfer Efficiency: The ratio of the volume of coating which is deposited on the object being coated to the volume of coating sprayed.
- 209 Volatile Organic Compound (VOC): Any compound of carbon (excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate) as determined by test methods approved by the APCO.
- 300 STANDARDS
- 301 VOC Limitation: (Effective April 1, 1982) Except as provided in Section 302, a person shall not apply to any large appliance or metal furniture part or product any coating with a VOC content in excess of the following limits, expressed as grams of VOC per liter of coating applied, excluding water:
- | | |
|--------------------|---------------------------------------|
| Baked Coatings | 275 grams/liter
(2.3 pound/gallon) |
| Air-Dried Coatings | 340 grams/liter
(2.8 pound/gallon) |
- 302 Equivalent Control: The use of coatings with VOC contents in excess of the limits specified in Section 301 shall be allowed, provided the emission of VOC to the atmosphere from the use of such coatings is reduced to a level which is equivalent to the use of coatings which comply with those limits.
- 303 Transfer Efficiency: (Effective April 1, 1982) A person shall use one of the following methods for application of coatings to large appliance or metal furniture parts and products:
- 303.1 Application by electrostatic attraction, or
- 303.2 Any other application method with a transfer efficiency of 65 percent or greater.
- 400 ADMINISTRATIVE REQUIREMENTS
- 401 Compliance Schedule: Any person who is subject to the requirements of this regulation shall comply with the following increments of progress:
- 401.1 By April 1, 1979: Submit to the APCO a plan describing the method(s) to be used to comply with those requirements.
- 401.2 By April 1, 1981: Submit a completed application for any Authority to Construct necessary to comply with those requirements.
- 401.3 By April 1, 1982: Be in full compliance with all applicable requirements.

JP:qp
3/7/79

ADOPTED 3/21/79

• BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

PROPOSED REGULATION #20
CONTROL OF CUTBACK ASPHALTS

100 GENERAL

101 Description: The purpose of this regulation is to limit the
emissions of volatile organic compounds caused by the use of
cutback asphalt in paving materials and paving and maintenance
operations.

110 EXEMPTIONS

111 Penetrating Prime Coat: The requirements of Section 302 shall
not apply to the use of cutback asphalt as a penetrating prime
coat for aggregate bases prior to paving. This exemption shall
end January 1, 1982.

112 Slow-Cure Liquid Asphalt: The requirements of Section 302 shall
not apply to the use of slow-cure liquid asphalt for the manu-
facture of asphalt/aggregate mixes.

113 The requirements of Section 302 shall not apply when the
National Weather Service forecasted atmospheric temperature for
the 24-hour period following application is below 50 degrees
Fahrenheit.

200 DEFINITIONS

201 Asphalt: The dark brown to black cementitious material (solid
or liquid) of which the main constituents are bitumens which
occur naturally or as a residue of petroleum refining.

202 Cutback Asphalt: Any Asphalt which has been liquified by blend-
ing with petroleum solvents.

203 Rapid-Cure (RC) Liquid Asphalt: A cutback asphalt which meets
the standard specifications of ASTM Designation D2028.

204 Medium-Cure (MC) Liquid Asphalt: A cutback asphalt which meets
the standard specifications of ASTM Designation D2027.

205 Slow-Cure (SC) Liquid Asphalt (Road Oil): Asphalt which meets
the standard specifications of ASTM Designation D2026, and which
shall be further defined as containing no more than 5 percent
by volume of total distillate to 500°F as determined by ASTM
Distillation Method D402. For purposes of this Regulation, Road
Oil and SC Liquid Asphalt shall be synonymous.

206 Emulsified Asphalt: Any Asphalt liquified with water containing
and emulsifier.

- 207 Penetrating Prime Coat: A low-viscosity liquid Asphalt which is applied to an absorbent material in order to prepare the surface for paving.
- 208 Volatile Organic Compound (VOC): Any compound of carbon (excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and methane) which would be emitted during use, application, or curing or cutback asphalt.
- 209 Paving Material: A mixture consisting mainly of an asphalt and aggregate.
- 210 Paving and Maintenance Operations: All activities involved in the new construction and maintenance of roadways and parking areas.
- 300 LIMITATIONS
- 301 After June 1, 1979, a person shall not use any rapid-cure liquid asphalt in paving material or in paving and maintenance operations.
- 302 After March 31, 1980, a person shall not use any cutback asphalt in paving material or in paving and maintenance operations during the months of April through October.
- 303 After January 1, 1982, a person shall not use any emulsified asphalt containing petroleum solvents in excess of 3 percent by volume in paving material or in paving and maintenance operations.

JT:gp

ADOPTED 3/7/79

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

REGULATION 21
FOR CONTROL OF ORGANIC COMPOUND EMISSIONS
FROM SOLVENT METAL CLEANING OPERATIONS

100 GENERAL

101 Description: The purpose of this regulation is to limit emissions of organic compounds from the solvent cleaning (degreasing) of metals.

110 EXEMPTIONS

111 Cleaning Materials: The requirements of Sections 301 through 307 shall not apply to any solvent metal cleaning operation installed before March 7, 1979, and employing only one or more of the following cleaning materials:

111.1 1,1,1 trichloroethane,

111.2 trichlorotrifluoroethane (Freon 113), or

111.3 methylene chloride.

112 Wipe Cleaning: The requirements of Sections 301 through 307 shall not apply to any solvent metal cleaning operation employing only wipe cleaning.

200 DEFINITIONS

201 Cold Cleaner: Any batch loaded, non-boiling solvent degreaser.

202 Conveyorized Degreaser: Any continuously loaded, conveyorized solvent degreaser, either boiling or non-boiling.

203 Freeboard Height:

203.1 (Cold Cleaning Tanks) The distance from the top of the solvent or solvent drain to the top of the tank.

203.2 (Open-Top Vapor Degreasing Tanks) The distance from the solvent vapor-air interface to the top of the degreaser tank.

- 203.3 (Conveyorized Degreasing Tanks) The distance from the top of the solvent or solvent vapor-air interface to the bottom of the lowest opening in the degreaser tank.
- 204 Freeboard Ratio: The freeboard height divided by the smaller of the length or width of the degreaser tank.
- 205 Open-Top Vapor Degreaser: Any batch loaded, boiling solvent degreaser.
- 206 Organic Compound: Any compound of carbon (excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, methane, and ethane).
- 207 Wipe Cleaning: That method of cleaning which utilizes a material such as a rag wetted with a solvent, coupled with a physical rubbing process to remove contaminants from metal surfaces.
- 300 STANDARDS
- 301 General Equipment Requirements: Effective March 7, 1980, a person shall not operate a solvent metal cleaning device unless such device includes all of the following equipment:
- 301.1 a container for the solvent and the articles being cleaned,
 - 301.2 an apparatus, cover, or enclosed reservoir which reduces solvent evaporation when not processing work in the degreaser,
 - 301.3 a facility for draining cleaned parts such that drained solvent is returned to the container, and
 - 301.4 a permanent, conspicuous label summarizing the applicable operating requirements contained in Sections 304 through 307.
- 302 Cold Solvent Cleaners: Effective March 7, 1980, a person shall not operate a cold solvent metal cleaning device employing solvent with a vapor pressure greater than 33 mm Hg (0.6 psia) at 38 degrees Celcius or employing solvent heated above 50 degrees Celcius unless one of the following control methods is used:
- 302.1 a freeboard ratio greater than or equal to 0.75;
 - 302.2 a water cover, provided the solvent is insoluble in and heavier than water; or
 - 302.3 any other method of equivalent control.

- 303 Open-Top Vapor Degreasers and Conveyorized Degreasers: Effective March 7, 1980, a person shall not operate an open-top vapor degreaser or conveyorized degreaser unless the following equipment is used:
- 303.1 all of the following safety switches:
 - A. condenser flow switch and thermostat, and
 - B. spray safety switch, and
 - C. vapor level control device.
 - 303.2 for open-top vapor degreasers with an open area greater than 1 square meter and conveyorized degreasers with an air-vapor interface area greater than 2 square meters one of the following control devices:
 - A. a freeboard ratio greater than or equal to 0.75;
 - B. a refrigerated chiller;
 - C. a carbon adsorption system with ventilation greater than or equal to 15 cubic meters per minute per square meter of air-vapor area and a control efficiency of 90 percent or more averaged over a complete adsorption cycle; or
 - D. a control system which has a control efficiency equivalent to any of the above.
 - 303.3 for conveyorized degreasers, both of the following control devices:
 - A. a drying tunnel or other means, such as a rotating basket, sufficient to prevent cleaned parts from carrying out solvent liquid or vapor, and
 - B. minimized openings such that entrances and exits silhouette work loads with an average clearance between parts or the conveyor and the edge of the degreaser opening less than 10 cm or less than 10 percent of the opening width.
- 304 General Operating Requirements: Effective March 7, 1980, any person who operates a solvent metal cleaning device shall conform to the following operating requirements:
- 304.1 The degreasing equipment and emission control shall be operated and maintained in proper working order.
 - 304.2 Liquid solvent leaks shall be repaired immediately or the equipment shall be shut down.
 - 304.3 Solvent, including waste solvent, shall not be stored or disposed of in a manner that will cause or allow evaporation into the atmosphere.

- 304.4 After distillation recovery of waste solvent, residues shall not contain more than 20 percent solvent by volume.
- 304.5 Devices designed to cover the solvent shall not be removed except to process work or to perform maintenance.
- 304.6 If a solvent flow is utilized, only a continuous fluid stream shall be used (not a fine, atomized, or shower type spray). The stream pressure shall be low enough to prevent liquid splashing outside the container.
- 305 Cold Solvent Cleaners Operating Requirements: Effective March 7, 1980, any person who operates a cold solvent cleaner shall conform to the following operating requirements:
- 305.1 Cleaned parts shall be drained for 15 seconds after cleaning or until dripping ceases.
- 305.2 Solvent agitation shall be accomplished only by pump recirculation or by means of a mixer. Air agitation shall not be used.
- 306 Open-Top Vapor Degreasers Operating Requirements: Effective March 7, 1980, any person who operates an open-top vapor degreaser shall conform to the following operating requirements:
- 306.1 Solvent carry-out shall be minimized by the following methods:
- A. rack parts for best drainage,
 - B. move parts in and out of the degreaser at a speed less than 3.3 meters per minute or at a demonstrated minimum (does not apply to manual loading),
 - C. degrease the work load in the vapor zone until condensation ceases,
 - D. for manual loading/unloading tip out any pools of solvent on the cleaned parts before removal, and
 - E. do not remove parts from the degreaser until visually dry.
- 306.2 Solvent shall not be sprayed above the vapor level.
- 306.3 Exhaust ventilation shall not exceed 20 cubic meters per square meter of degreaser open area, unless necessary to meet OSHA requirements. Ventilation fans shall not be positioned in such a way as to disturb the vapor zone.
- 306.4 Water shall not be visibly detectable in the solvent exiting the water separator.

307 Conveyorized Degreasers Operating Requirements: Effective March 7, 1980, any person who operates a conveyorized degreaser shall conform to the following operating requirements:

307.1 Solvent carry-out shall be minimized by the following methods:

- A. rack parts for best drainage, and
- B. maintain vertical conveyor speed at less than 3.3 meters per minute.

307.2 Exhaust ventilation shall not exceed 20 cubic meters per square meter of degreaser open area, unless necessary to meet OSHA requirements. Ventilation fans shall not be positioned in such a way as to direct air flow over the degreaser opening(s).

307.3 Water shall not be visibly detectable in the solvent exiting the water separator.

400 ADMINISTRATIVE REQUIREMENTS

401 Compliance Schedule: Any person who is subject to the requirements of Sections 302 or 303 shall comply with the following increments of progress:

401.1 By September 7, 1979: Submit to the APCO a plan describing the method(s) to be used to comply with the applicable requirements.

401.2 By December 7, 1979: Submit a completed application for any Authority to Construct necessary to comply with the applicable requirements.

401.3 By March 7, 1980: Be in full compliance with all the applicable requirements of Sections 301 through 307.

ADOPTED

6/20/79

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

NEW SOURCE REVIEW

REGULATION 23

OUTLINE

1. APPLICABILITY
2. REQUIREMENTS
3. OFFSET REQUIREMENTS
4. BANKING
5. POWER PLANTS
6. EXEMPTIONS
7. PERMIT APPLICATION REQUIREMENTS
8. PERMIT CONDITION REQUIREMENTS
9. ANALYSIS, NOTICE AND REPORTING
10. DEFINITIONS
11. CALCULATION OF EMISSIONS
12. STANDARDS FOR PERMITS TO OPERATE AND
AUTHORITIES TO CONSTRUCT
13. STATE AMBIENT AIR QUALITY STANDARDS
14. IMPLEMENTATION PLANS
15. SEVERABILITY

NEW SOURCE REVIEW

REGULATION 23

1. APPLICABILITY

This regulation shall apply to:

- a. All new stationary sources emitting more than 150 pounds per day of organic compounds, nitrogen oxides, sulfur oxides or particulate matter or carbon monoxide emissions by an amount which the APCO determines would cause an excess of the NAAQS for carbon monoxide, and
- b. All modifications of existing stationary sources which will increase emissions by more than 150 pounds per day of organic compounds, nitrogen oxides, sulfur oxides or particulate matter or increase in carbon monoxide emissions by amount which the APCO determines would cause an excess of the NAAQS for carbon monoxide, and
- c. Any modification of a stationary source which will have a cumulative increase of more than 150 pounds per day of organic compounds, nitrogen oxides, sulfur oxides or particulate matter since December 20, 1977.

Section 1316 of Regulation 2 shall not be construed to exempt any sources described in (a) and (b) above from permit requirements or any other requirements of District Regulations.

2. REQUIREMENTS

In order to obtain an Authority to Construct, all such sources must comply with the following requirements:

- a. The applicant shall certify on the date a complete

application is filed that all other major stationary sources in the State which are owned or operated by the applicant are, under normal operating conditions, in compliance, or are on an approved schedule of compliance, with all applicable state or federal emission limitations and standards and all applicable emission limitations and standards which are part of the State Implementation Plan approved by EPA.

- b. The applicant shall utilize Best Available Control Technology for each pollutant which exceeds the limits established in Section 1 above in constructing the new or modified source subject to the requirements of this Regulation.
- c.
 - 1. If the national ambient air quality standard for ozone has been exceeded anywhere in the District more than 3 times (or for annual standards, more than 1 time) within the three years immediately preceding the date when the complete application for the Authority to Construct is filed, the applicant shall obtain offsets for all cumulative increases in organic compound emissions where such cumulative increases are in excess of 250 pounds per day. Such offsets shall comply with Section 3 of this Regulation.
 - 2. If any national ambient air quality standard for nitrogen dioxide has been exceeded anywhere in the District more than 3 times (or for annual standards

more than one time) within the 3 years immediately preceding the date of filing of a complete application, the applicant shall obtain offsets for all cumulative increases in nitrogen oxide emissions where such cumulative increases exceed 250 pounds per day. Such offsets shall comply with Section 3 of this Regulation.

3. Offsets for all cumulative increases, where such cumulative increases exceed 250 pounds per day of sulfur dioxide, carbon monoxide or total suspended particulates, shall be required unless the applicant demonstrates through modeling to the satisfaction of the APCO that such emissions will not interfere with the attainment or maintenance of any national ambient air quality standard for such pollutants at the point of maximum ground level impact. Such offsets, if required, shall comply with Section 3 of this Regulation.

- d. In determining under Section 2c whether there has been a cumulative increase in emissions of any pollutant of greater than 250 pounds per day, the APCO shall consider all increases and decreases of emissions caused by modifications to that stationary source pursuant to Authorities to Construct or Permits to Operate issued subsequent to December 20, 1977. Emission reductions required to comply with federal, state or District laws, emission limitations, or rules or regulations shall not be considered to be decreases in emissions for the purpose of this Section.

3. OFFSET REQUIREMENTS

- a. Offsets, when required, shall be actual emission reductions sufficient to offset any emissions increase and shall take

effect at the time of initial operation of the new source or within 90 days after initial operation of the modified source.

- b. An emission offset ratio of 2.0:1 shall be required if the new or modified source elects to use annual average emissions as the basis for offsets, and provided that the location of offsets is within a 30 mile radius of the new or modified source for organic compounds or nitrogen oxides and within a 10 mile radius for particulate matter, sulfur dioxide and carbon monoxide.
- c. Offsets at a ratio of 1.2:1 shall be required if other than an annual average is used for emission offset calculations and (1) the offset source is within a 15-mile radius of the new or modified source for organic compounds and nitrogen oxide reductions, or (2) the offset source is within a 5-mile radius for reductions of particulate matter, sulfur dioxide and carbon monoxide.
- d. If other than an annual average is used for emission offset calculations and the emission offsets are located outside of the distances prescribed in (b) and (c), the applicant shall conduct modeling to determine an offset ratio to show a net air quality benefit in the area affected by the emissions from the new or modified source. Such offset ratio must be approved by the APCO.
- e. Notwithstanding any other provision of this Regulation, any emission reductions may be used as offsets of emission

increases from the proposed new or modified source, provided the applicant demonstrates to the satisfaction of the APCO that such reductions will result in a net air quality benefit in the area affected by emissions from the new or modified source.

- f. Emission reductions resulting from measures required by adopted federal, state or District laws, rules or regulations shall not be allowed as emission offsets unless a complete application was filed with the District at least 90 days prior to the date of adoption of such laws, rules or regulations.
- g. If an applicant for a resource recovery project using municipal waste demonstrates to the satisfaction of the APCO that the most likely alternative for treating such waste would result in an increase in emissions allowed under existing District permits and regulations, those emission increases which would not occur as a result of the proposed resource recovery project may be used to offset any net emissions increase from the resource recovery project in accordance with the other provisions of this Regulation.
- h. Emission reductions of organic compounds may be used to offset emission increases of NO_x provided that applicant demonstrates to the satisfaction of the APCO that the net emissions increase of the NO_x will not cause or contribute to an excess of any national ambient air quality standard for NO_2 at the point of maximum ground level impact. The necessary quantity of emission reductions shall be deter-

mined by the APCO based on existing air quality data.

4. BANKING

- a. The APCO shall allow emission reductions which exceed those required by all applicable District Regulations for a new or modified source to be banked for use in the future. All such reductions, when used as offsets for the increased emissions from a proposed new or modified source shall be used in accordance with the other provisions of this Regulation. Such emission reductions may be banked after approval by the APCO. Changes in offset requirements adopted within 3 years from the date reductions are banked shall not be applicable to the use of such offsets. Any such changes adopted 3 or more years after reductions are banked shall be applicable to such offsets.
- b. The APCO may allow actual emission reductions resulting from the shutdown of sources or changes in operating hours or practices to be banked for use in the future. All such reductions when used as offsets for the increased emissions from a proposed new or modified source shall be used in accordance with the other provisions of this Regulation. Such emission reductions may be banked after approval by the APCO. Changes in offset requirements adopted within 3 years from the date reductions are banked shall not be applicable to the use of such offsets. Any such changes adopted 3 or more years after reductions are banked shall be applicable to such offsets.

- c. If at any time the APCO determines that additional banked emissions, if used as offsets for new or modified sources, would interfere with reasonable further progress towards attainment of a NAAQS, the APCO may declare a moratorium on further banking. Upon determination by the APCO that reasonable further progress towards attainment of NAAQS is progressing, the APCO shall lift the moratorium on banking and allow further banking to proceed in accordance with the requirements of this Regulation.
- d. The APCO, after determination that the use of already banked emission reductions, if used as offsets, would interfere with reasonable further progress toward attainment of a NAAQS, may declare a moratorium on the use of such emissions, provided that such a moratorium shall go into effect no earlier than July 1, 1982.
- e. The determination to impose a moratorium shall be based on all relevant information on the Bay Area Air Quality Plan and the State of the Region's Air Quality, and may only be made after notice and public hearing.
- f. For all power plants subject to this Regulation, the applicant may upon written notice to the APCO and Air Resources Board, establish an emission offset bank for a specific power plant at a specific location. The emission offset bank shall be established no earlier than the date the applicant's Notice of Intention for the power plant is accepted by the California Energy Commission. The emission offset bank shall lapse if the

Commission rejects the applicable power plant or site, however, in such case the applicant may transfer the emission offsets contained in the bank to another power plant and location for which the Commission has accepted a Notice of Intention. Emission offsets may be deposited in the bank only by the applicant to construct the power plant and all emission offsets contained in the bank shall be used in accordance with the requirements of this Regulation. Emission offsets approved by the APCO may be banked after such approval. Deposits or withdrawals shall be subject to the requirements of Sections 4c and d.

- g. The Board of Directors may establish a fee schedule to be paid by the applicant for banked emission reductions.

5. POWER PLANTS

This Section shall apply to all power plants proposed to be constructed in the District and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission. The APCO, pursuant to Section 25538 of the Public Resources Code, shall apply for reimbursement of all costs, including lost fees, incurred in order to comply with the provisions of this Section.

- a. Within fourteen days of receipt of a NOI, the APCO shall notify the ARB and the Commission of the District's intent to participate in the NOI proceeding. If the District chooses to participate in the NOI proceeding, the APCO shall prepare and submit a report to the ARB and the Commission prior to the conclusion of the nonadjudicatory

hearings specified in Section 25509.5 of the Public Resources Code. That report shall include, at a minimum:

1. A preliminary specific definition of Best Available Control Technology (BACT) for the proposed facility;
2. A preliminary discussion of whether there is substantial likelihood that the requirements of this rule and all other District Regulations can be satisfied by the proposed facility;
3. A preliminary list of conditions which the proposed facility must meet in order to comply with this rule or any other applicable District Regulation.

The preliminary determinations contained in the report shall be as specific as possible within the constraints of the information contained in the NOI.

- b. Upon receipt of an Application for Certification (AFC) for a power plant, the APCO shall conduct a Determination of Compliance review. This Determination shall consist of a review identical to that which would be performed if an application for a Permit to Construct had been received for the power plant. If the information contained in the AFC does not meet the requirements of this Regulation, the APCO shall, within 20 calendar days of receipt of the AFC, so inform the Commission, and the AFC shall be considered incomplete and returned to the applicant for re-submittal.
- c. The APCO shall consider the AFC to be equivalent to an application for an Authority to Construct during the

Determination of Compliance review, and shall apply all provisions of this Regulation which apply to applications for an Authority to Construct.

- d. The APCO may request from the applicant any information necessary for the completion of the Determination of Compliance review. If the APCO is unable to obtain the information, the APCO may petition the presiding Commissioner for an order directing the applicant to supply such information.
- e. Within 180 days of accepting an AFC as complete, the APCO shall make a preliminary decision on:
 - 1. Whether the proposed power plant meets the requirements of this Regulation and all other applicable District Regulations; and
 - 2. In the event of compliance, what permit conditions will be required including the specific BACT requirements and a description of required mitigation measures.
- f. The preliminary written decision made under subsection (e) shall be finalized by the APCO only after being subject to the public notices and comment requirements of this Regulation. The APCO shall not issue a Determination of Compliance unless all requirements of this Regulation are met.
- g. Within 240 days of the filing date, the APCO shall issue and submit to the Commission, a Determination of Compliance of, if such a determination cannot be issued, shall so inform the Commission. A Determination of Compliance shall

confer the same rights and privileges as an Authority to Construct only when and if the Commission approves the AFC, and the Commission certificate includes all conditions of the Determination of Compliance.

- h. Any applicant receiving a certificate from the Commission pursuant to this Section and in compliance with all conditions of the certificate after construction, shall be issued a Permit to Operate by the APCO.

6. EXEMPTIONS

The provisions of this Regulation shall not apply to any new or modified stationary source which:

- a. Will be used exclusively for providing essential public services, such as schools, hospitals, police and fire fighting facilities, or water or waste water treatment facilities which use BACT, but specifically excluding sources of electrical power generation other than for emergency standby use.
- b. Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant certifies that it has made its best efforts to obtain sufficient emission offsets pursuant to the requirements of this Regulation, that such efforts had been unsuccessful as of the date the complete application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins.
- c. Is portable sandblasting equipment used on a temporary basis within the District.

- d. Uses innovative control equipment or processes which will likely result in a significantly lower emission rate from the stationary source than would have occurred with the use of previously recognized Best Available Control Technology, and which can be expected to serve as a model for technology to be applied to similar stationary sources within the state resulting in a substantial air quality benefit. This exemption shall apply only to pollutants which are controlled by the innovative control equipment or processes. The APCO shall obtain written concurrence from the Executive Officer of the Air Resources Board prior to granting an exemption pursuant to this subsection.
- e. Is a cogeneration project, or a project using refuse-derived or biomass-derived fuels for energy generation or a resource recovery project using municipal wastes, provided that:
 - 1. the applicant establishes by modeling to the satisfaction of the APCO that the emissions from the source will not cause a violation of or will not interfere with the attainment or maintenance of any national ambient air quality standard; and
 - 2. the applicant certifies that it has made its best efforts to obtain sufficient offsets pursuant to the requirements of this Regulation and that such efforts have been unsuccessful as of the date the complete application was filed; and
 - 3. the applicant uses BACT.
- f. Consists solely of the installation of air pollution control equipment.

- g. Will be a replacement for an existing source, or portion thereof, on the same or bordering property, if the resulting emissions will not be increased above the actual emissions from the existing source, and the replacement utilizes BACT. The APCO may allow a maximum of 90 days as a start-up period for simultaneous operation of the existing source and the replacement source.
- h. Is a continuing operation without modification or change in operating conditions, when a Permit to Operate is required solely because of permit renewal or change of ownership.

7. PERMIT APPLICATION REQUIREMENTS

Any person who desires to construct a new stationary source or modify an existing stationary source subject to this Regulation shall file an application in writing with the APCO. Such application shall contain the information required pursuant to District Regulations and the list and criteria adopted pursuant to Section 65940 of the California Government Code regarding information requirements.

8. PERMIT CONDITION REQUIREMENTS

The APCO shall, as a condition for the issuance of a Permit to Operate for a new or modified source subject to this Regulation, and with the prior written consent of the owner or operator of any source which provides offsets:

- a. Require that the new or modified source and any sources which provide offsets be operated in the manner assumed in making the analysis required to determine compliance

with this Regulation. The permit for the new or modified source shall include emission limitations corresponding to the application of BACT.

- b. Modify, or require modification of, the Permit to Operate for any source used to provide offsets, to ensure that emission reductions at that source which provides offsets will be enforceable, and shall continue for the reasonably expected useful life of the proposed source. If offsets are obtained from a source for which there is no Permit to Operate, either a P/O shall be obtained or a written contract shall be required between the applicant and the owner or operator of such source, which contract, by its terms, shall be enforceable by the APCO to ensure that such reductions will continue for the reasonably expected useful life of the proposed source.
- c. Allow any other reasonably enforceable methods, other than those described in subsections (1) and (2) which the APCO is satisfied will assure that all required offsets are achieved.

9. ANALYSIS, NOTICE AND REPORTING

- a. The APCO shall determine whether an application for sources subject to this Regulation is complete not later than 30 calendar days after receipt of the application, or after such longer time as both the applicant and the APCO may agree. Such determination shall be transmitted in writing immediately to the applicant at the address indicated on the application. If the application is determined to be

incomplete, the determination shall specify which parts of the application are incomplete and how they can be made complete. Upon receipt by the APCO of any resubmittal of the application, a new 30 day period in which the APCO must determine completeness shall begin. Completeness of an application or resubmitted application shall be evaluated on the basis of the requirements set forth in District procedures adopted pursuant to Section 65940 of the California Government Code regarding information requirements as they exist on the date on which the application or resubmitted application was received. The decision as to whether the Authority to Construct should be approved, conditionally approved or denied shall be based on federal, state or District regulations in force on the date a complete application was filed. After the APCO accepts an application as complete, the APCO shall not subsequently request of an applicant any new or additional information, except information relating to offsets. However, the APCO may, during the processing of the application, request an applicant to clarify, correct or otherwise supplement the information required in such list in effect at the time the complete application was received. Making any such request does not waive, extend or delay the time limits in this Regulation for decision on the completed application, except as the applicant and the APCO may both agree.

- b. Following acceptance of an application as complete, the APCO shall:

1. Within 60 days following such acceptance, unless extended with the consent of the applicant, perform the evaluations required to determine compliance with this Regulation, and all other applicable District regulations, and make a preliminary written decision as to whether a Permit to Construct should be approved, conditionally approved, or disapproved. The evaluation shall be performed in accordance with the rules and regulations in effect at the time of the filing of a complete application. The decision shall be supported by a succinct written analysis.
2. Within 10 calendar days following such decision, publish a notice by prominent advertisement in at least one newspaper of general circulation in the District stating the preliminary decision of the APCO and where the public may inspect the information required to be made available under subsection (3). The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary decision.
3. At the time notice of the preliminary decision is published, make available for public inspection at the District's office the information submitted by the applicant, the APCO's supporting analysis for the preliminary decision, and the preliminary decision to grant or deny the Permit to Construct, including any proposed permit conditions, and the reasons therefor. The confidentiality of trade secrets shall be considered in accordance with Section 6254.7 of the Government Code.

4. No later than the date of publication of the notice required by subsection (a), forward the analysis, the preliminary decision, and copies of the notice to the Air Resources Board and the Regional Office of the U. S. Environmental Protection Agency.
5. Consider all written comments submitted during the 30 day public comment period.
6. Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The APCO shall provide written notice of the final action to the applicant, the Environmental Protection Agency, and the California Air Resources Board, shall publish such notice in a newspaper of general circulation in the District, and shall make the notice and all supporting documents available for public inspection at the District office.
- c. The public notice and reporting requirements set forth in this Section shall not be required for any permit which does not require emission offsets.

10. DEFINITIONS

- a. "Best Available Control Technology" (BACT), means for any stationary source, except cargo carriers, the more stringent of:
 1. The most effective emission control technique which has been achieved in practice for at least one year, for such category or class of source; or
 2. Any other emission control technique found, by the APCO to be technologically feasible and cost/effective

for such class or category of source; or

3. The most effective emission limitation which the EPA certifies during the comment period is contained in the Implementation Plan of any State approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates to the satisfaction of the APCO that such limitations are not achievable.

Under no circumstances shall the emission control required be less stringent than the emission control required by any applicable New Source Performance Standard promulgated by EPA.

- b. "Modification" means any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless previously limited by an enforceable permit condition, shall not include:

1. An increase in the production rate, if such increase does not exceed the operating design capacity of the source, or the actual demonstrated capacity of the source as approved by the APCO.
2. An increase in the hours of operation, unless such hours of operation are limited by permit conditions.
3. Change in ownership of source.
4. Use of an alternative fuel or raw material if the source was capable of using such fuel or raw material prior to July 1, 1972, or had received permits to use such fuel or raw material prior to the submission of an application to this Regulation.

- c. "Stationary Source" means a unit or an aggregation of units of nonvehicular air-contaminant-emitting equipment which is located on one property or on contiguous properties; which is under the same ownership or entitlement to use and operate; and, in the case of an aggregation of units, those units which are related to one another. Units shall be deemed related to one another if the operation of one is dependent upon, or affects the process of, the other; if the operation involves a common or similar raw material, product, or function; or if they have the same first three digits in their standard industrial classification codes as determined from the Standard Industrial Classification Manual published in 1972 by the Executive Office of the President, Office of Management and Budget. In addition, in cases where all or part of a stationary source is a facility used to load cargo onto or unload cargo from cargo carriers, other than motor vehicles, the APCO shall consider such carriers to be parts of the stationary source. Accordingly, all emissions from such carriers (excluding motor vehicles) while operating within the District shall be considered as emissions from such stationary source. Emissions from such carriers shall include those that result from operation of the carriers' engines; the purging or other method of venting of vapors; and from the loading, unloading, storage, processing and transfer of cargo.
- d. "Modeling" means using an air quality simulation model, based on specified assumptions and data, acceptable to the APCO.

- e. "Point of Maximum Ground Level Impact" of emissions means that ground level geographic location accessible to the general public where actual or projected air pollutant concentrations resulting from the new or modified stationary source are at the maximum level after including the effect of any control technology and mitigation employed. If the general public is effectively excluded from the property on which the new or modified source is located, such property shall not be considered as the "Point of Maximum Ground Level Impact".
- f. "Organic Compounds" means compounds of Carbon and Hydrogen in combination with other elements which are emitted to the atmosphere as liquids or gases (excluding methane; 1,1,1, trichloroethane; methylene chloride; commercial natural gas and fully halogenated carbon compounds).
- g. "Cumulative Increases" means the increase in emissions of a given pollutant from a stationary source (see 10.c) occurring subsequent to December 20, 1977. In calculating cumulative increases, credit will be given for any reduction in emissions due to the abatement or shutdown of any existing source, provided that the abatement or shutdown is not required by a Regulation of the District.
- h. Complete application means an application for a new or modified source which contains sufficient information for the APCO to determine the emissions from such new or modified source.
- i. Major Stationary Source means any new or modified source which emits more than 50 tons per year of any contaminant

for which there is a national ambient air quality standard.

- j. Actual Emission Reductions means a reduction in emissions from the source or facility selected for emission offset, from a baseline determined by source tests approved by the APCO or other methods approved by the APCO. Baseline and reduced emissions shall be calculated as average daily emissions. If methods other than source test (such as fuel consumed or solvent used) are used to calculate the baseline, such data must be based on the average of three year's data prior to the submission by the applicant of a complete application or such other time periods as approved by the APCO.

11. CALCULATION OF EMISSIONS

Calculation of emissions and emission offsets shall be made by following the guidelines in the ARB Model New Source Review Rule (February 16, 1979) or alternative procedures approved by the APCO. The APCO shall publish from time to time guidelines for such alternative procedures and submit them to the ARB for review and comment.

12. STANDARDS FOR PERMITS TO OPERATE OR AUTHORITIES TO CONSTRUCT

- a. The APCO shall deny a Permit to Operate for any new or modified stationary source or any portion thereof to which Regulation 23 applies unless:
 1. The owner or operator of the source has obtained an Authority to Construct granted pursuant to this Regulation, and
 2. The APCO has determined that the source and any

sources which provide offsets have been constructed and/or modified to operate and emit quantities of air contaminants, consistent with the conditions imposed on their respective Authorities to Construct or Permits to Operate as required by this Regulation, and

3. The APCO has determined that any offsets required as a condition of the Authority to Construct or Permit to Operate will commence at the time of initial operation of the new source or within 90 days after initial operations of the modified source, and that the offsets will be maintained throughout the operation of the new or modified source. In the case of a new or modified source which will be, in whole or in part, a replacement for an existing source on the same property, the APCO may allow a maximum of ninety (90) days as a start-up period for simultaneous operation of the existing stationary source and the new stationary source or replacement; and
 4. The APCO has determined that all conditions specified in the Authority to Construct have been or will be likely complied with by any dates specified.
- b. The APCO shall require as a condition for the issuance of any Permit to Operate for a new or modified source, that the source and any offset source be operated consistent with any conditions imposed on their respective Authority to Construct.
 - c. The APCO shall perform the evaluations required to



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determine compliance with this Regulation and shall take final action to approve, approve with conditions or disapprove any Permit to Operate for a new or modified stationary source or any portion thereof to which this Regulation applies within 60 days after start-up of the new or modified source.

- d. In the event that the APCO fails to take final action within such 60 day period, unless extended by approval of the applicant, such failure to act shall be deemed denial of such Permit to Operate. Such denial may be appealed to the District Hearing Board.

13. STATE AMBIENT AIR QUALITY STANDARDS

All references in this Regulation to national ambient air quality standards shall be interpreted to include state ambient air quality standards.

14. IMPLEMENTATION PLANS

The APCO may issue an Authority to Construct for a new or modified stationary source which is subject to this Regulation only if all District Regulations contained in the State Implementation Plan approved by the Environmental Protection Agency for major stationary sources are being carried out in accordance with that Plan.

15. SEVERABILITY

If any portion of this Regulation is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of this Regulation, which shall continue to be in full force and effect.

